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BEFORE THE DEPARTMENT OF  
NATURAL RESOURCES AND CONSERVATION  
OF THE STATE OF MONTANA

\* \* \* \* \*

IN THE MATTER OF THE APPLICATION     )  
FOR BENEFICIAL WATER USE PERMIT     )  
NO. 067956-g411 BY THE THOMAS CRUSE)  
MINING & DEVELOPMENT COMPANY     )

ORDER OF DISMISSAL

\* \* \* \* \*

Applicant, The Thomas Cruse Mining & Development Company,  
has moved for dismissal of the above-entitled contested case  
scheduled for hearing on July 25, 1989, at 9:00 a.m., on the  
ground that the Applicant is withdrawing its application for a  
beneficial use permit.

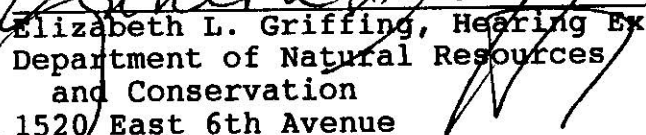
Pursuant to the Applicant's motion and good cause appearing  
therefor,

IT IS HEREBY ORDERED:

(1) That the hearing scheduled for July 25, 1989, be  
vacated; and

(2) That this matter be dismissed without prejudice.

Dated this 17<sup>th</sup> day of July, 1989.

  
Elizabeth L. Griffing, Hearing Examiner  
Department of Natural Resources  
and Conservation  
1520 East 6th Avenue  
Helena, Montana 59620-2301  
(406) 444-6612

**CASE # 67956**

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing Order of Dismissal was duly served upon all parties of record, at their address or addresses this 17<sup>th</sup> day of July, 1989, as follows:

Thomas Cruse Mining  
& Development Co.  
P.O. Box 137  
Helena, MT 59624

Montana Power Company  
40 East Broadway  
Butte, MT 59701

Holly F. Franz  
Gough, Shanahan,  
Johnson & Waterman  
P.O. Box 1715  
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T. J. Reynolds  
Helena Field Manager  
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Terry and Dolores Pipinich  
Marysville, MT 59640

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931 8th Avenue  
Helena, MT 59601

  
Irene V. LaBare  
Legal Secretary